

Exhibit 16

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE: CENTURYLINK SALES) File No. 17-md-2795
PRACTICES AND SECURITIES) (MJD/KMM)
LITIGATION)
)
)
)
This relates to:) Courtroom 8E
18-cv-296 (MJD/KMM)) Minneapolis, Minnesota
) Tuesday, October 1, 2019
)

BEFORE THE HONORABLE KATE M. MENENDEZ
UNITED STATES DISTRICT COURT MAGISTRATE JUDGE

PRETRIAL CONFERENCE

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1 read to weigh privilege, the more cumbersome that production
2 will become. I think that's the real meaning of 502(d).
3 But it almost doesn't matter what the meaning was. I'm not
4 necessarily an originalist. It matters more how it applies
5 effectively in this case. And so I find that applying its
6 protections, regardless of the exuberance of the defendants'
7 or of the plaintiffs' privilege review, is the appropriate
8 path to strike.

9 I am going to require something like we discussed
10 with respect to conversations about document requests. This
11 is more or less what I expect, and I've got to mull over
12 whether to try to capture this in language in the 26(f)
13 report.

14 I expect there to be the service of document
15 requests that are as narrowly tailored as possible to get at
16 what you want, with the collective understanding that we all
17 share the responsibility for proportionality.

18 I expect that the defendants will respond not just
19 by raising every objection under the sun, but by trying to
20 tailor a response that can get at the important things.

21 I strongly expect parties to meet and confer
22 before you bring discovery disputes to me. I am happy to do
23 my job and resolve discovery disputes, but I am always
24 disappointed if the briefing suggests that they're ships
25 passing in the night. One side is objecting to what it